

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Michael B. Kratville,

Civil No. 17-cv-4453 (MJD/TNL)

Plaintiff,

v.

**ORDER**

United States Bureau of Prisons, et al.,

Defendants.

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Based upon the Report and Recommendation by United States Magistrate Judge Tony N. Leung dated August 31, 2018 (Doc. No. 31), along with all the files and records, and no objections to said Recommendation having been filed,

**IT IS HEREBY ORDERED** that:

1. The motion of defendant United States Bureau of Prisons to dismiss for lack of jurisdiction and for summary judgment (Doc. No. 16) is

**GRANTED** as follows:

- a. Plaintiff Michael B. Kratville's claims for monetary relief against the United States Bureau of Prisons are **DISMISSED WITH PREJUDICE** due to sovereign immunity.

- b. Kratville's claim for prospective injunctive relief concerning the United States Bureau of Prisons and its actions concerning the Boggemann letters is **DISMISSED WITHOUT PREJUDICE AS MOOT.**
- c. Kratville's remaining claims are **DISMISSED WITHOUT PREJUDICE** for failure to exhaust available administrative remedies.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Date: November 27, 2018

s/ Michael J. Davis  
Michael J. Davis  
United States District Court